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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/990,109	11/21/2001	Randall A. Boudouris	M112.2-10064	2833
490	7590	04/21/2005	EXAMINER	
VIDAS, ARRETT & STEINKRAUS, P.A. 6109 BLUE CIRCLE DRIVE SUITE 2000 MINNETONKA, MN 55343-9185			PIAZZA CORCORAN, GLADYS JOSEFINA	
			ART UNIT	PAPER NUMBER
			1733	

DATE MAILED: 04/21/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

lm

Interview Summary	Application No.	Applicant(s)	
	09/990,109	BOUDOURIS ET AL	
	Examiner	Art Unit	
	Gladys JP Corcoran	1733	

All participants (applicant, applicant's representative, PTO personnel):

(1) Gladys JP Corcoran.

(3) _____.

(2) Lisa Ryan-Lindquist.

(4) _____.

Date of Interview: 18 April 2005.

Type: a) ☒ Telephonic b) ☐ Video Conference

c) ☐ Personal [copy given to: 1) ☐ applicant 2) ☐ applicant's representative]

Exhibit shown or demonstration conducted: d) ☐ Yes e) ☒ No.

If Yes, brief description: _____.

Claim(s) discussed: None.

Identification of prior art discussed: None.

Agreement with respect to the claims f) ☐ was reached. g) ☒ was not reached. h) ☐ N/A.

Substance of Interview including description of the general nature of what was agreed to if an agreement was reached, or any other comments: See Continuation Sheet.

(A fuller description, if necessary, and a copy of the amendments which the examiner agreed would render the claims allowable, if available, must be attached. Also, where no copy of the amendments that would render the claims allowable is available, a summary thereof must be attached.)

THE FORMAL WRITTEN REPLY TO THE LAST OFFICE ACTION MUST INCLUDE THE SUBSTANCE OF THE INTERVIEW. (See MPEP Section 713.04). If a reply to the last Office action has already been filed, APPLICANT IS GIVEN ONE MONTH FROM THIS INTERVIEW DATE, OR THE MAILING DATE OF THIS INTERVIEW SUMMARY FORM, WHICHEVER IS LATER, TO FILE A STATEMENT OF THE SUBSTANCE OF THE INTERVIEW. See Summary of Record of Interview requirements on reverse side or on attached sheet.

Examiner Note: You must sign this form unless it is an Attachment to a signed Office action.


Examiner's signature, if required

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Summary of Record of Interview Requirements

Manual of Patent Examining Procedure (MPEP), Section 713.04, Substance of Interview Must be Made of Record

A complete written statement as to the substance of any face-to-face, video conference, or telephone interview with regard to an application must be made of record in the application whether or not an agreement with the examiner was reached at the interview.

Title 37 Code of Federal Regulations (CFR) § 1.133 Interviews

Paragraph (b)

In every instance where reconsideration is requested in view of an interview with an examiner, a complete written statement of the reasons presented at the interview as warranting favorable action must be filed by the applicant. An interview does not remove the necessity for reply to Office action as specified in §§ 1.111, 1.135. (35 U.S.C. 132)

37 CFR §1.2 Business to be transacted in writing.

All business with the Patent or Trademark Office should be transacted in writing. The personal attendance of applicants or their attorneys or agents at the Patent and Trademark Office is unnecessary. The action of the Patent and Trademark Office will be based exclusively on the written record in the Office. No attention will be paid to any alleged oral promise, stipulation, or understanding in relation to which there is disagreement or doubt.

The action of the Patent and Trademark Office cannot be based exclusively on the written record in the Office if that record is itself incomplete through the failure to record the substance of interviews.

It is the responsibility of the applicant or the attorney or agent to make the substance of an interview of record in the application file, unless the examiner indicates he or she will do so. It is the examiner's responsibility to see that such a record is made and to correct material inaccuracies which bear directly on the question of patentability.

Examiners must complete an Interview Summary Form for each interview held where a matter of substance has been discussed during the interview by checking the appropriate boxes and filling in the blanks. Discussions regarding only procedural matters, directed solely to restriction requirements for which interview recordation is otherwise provided for in Section 812.01 of the Manual of Patent Examining Procedure, or pointing out typographical errors or unreadable script in Office actions or the like, are excluded from the interview recordation procedures below. Where the substance of an interview is completely recorded in an Examiners Amendment, no separate Interview Summary Record is required.

The Interview Summary Form shall be given an appropriate Paper No., placed in the right hand portion of the file, and listed on the "Contents" section of the file wrapper. In a personal interview, a duplicate of the Form is given to the applicant (or attorney or agent) at the conclusion of the interview. In the case of a telephone or video-conference interview, the copy is mailed to the applicant's correspondence address either with or prior to the next official communication. If additional correspondence from the examiner is not likely before an allowance or if other circumstances dictate, the Form should be mailed promptly after the interview rather than with the next official communication.

The Form provides for recordation of the following information:

- Application Number (Series Code and Serial Number)
- Name of applicant
- Name of examiner
- Date of interview
- Type of interview (telephonic, video-conference, or personal)
- Name of participant(s) (applicant, attorney or agent, examiner, other PTO personnel, etc.)
- An indication whether or not an exhibit was shown or a demonstration conducted
- An identification of the specific prior art discussed
- An indication whether an agreement was reached and if so, a description of the general nature of the agreement (may be by attachment of a copy of amendments or claims agreed as being allowable). Note: Agreement as to allowability is tentative and does not restrict further action by the examiner to the contrary.
- The signature of the examiner who conducted the interview (if Form is not an attachment to a signed Office action)

It is desirable that the examiner orally remind the applicant of his or her obligation to record the substance of the interview of each case. It should be noted, however, that the Interview Summary Form will not normally be considered a complete and proper recordation of the interview unless it includes, or is supplemented by the applicant or the examiner to include, all of the applicable items required below concerning the substance of the interview.

A complete and proper recordation of the substance of any interview should include at least the following applicable items:

- 1) A brief description of the nature of any exhibit shown or any demonstration conducted,
- 2) an identification of the claims discussed,
- 3) an identification of the specific prior art discussed,
- 4) an identification of the principal proposed amendments of a substantive nature discussed, unless these are already described on the Interview Summary Form completed by the Examiner,
- 5) a brief identification of the general thrust of the principal arguments presented to the examiner,
(The identification of arguments need not be lengthy or elaborate. A verbatim or highly detailed description of the arguments is not required. The identification of the arguments is sufficient if the general nature or thrust of the principal arguments made to the examiner can be understood in the context of the application file. Of course, the applicant may desire to emphasize and fully describe those arguments which he or she feels were or might be persuasive to the examiner.)
- 6) a general indication of any other pertinent matters discussed, and
- 7) if appropriate, the general results or outcome of the interview unless already described in the Interview Summary Form completed by the examiner.

Examiners are expected to carefully review the applicant's record of the substance of an interview. If the record is not complete and accurate, the examiner will give the applicant an extendable one month time period to correct the record.

Examiner to Check for Accuracy

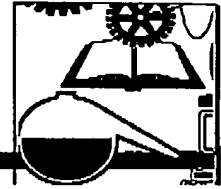
If the claims are allowable for other reasons of record, the examiner should send a letter setting forth the examiner's version of the statement attributed to him or her. If the record is complete and accurate, the examiner should place the indication, "Interview Record OK" on the paper recording the substance of the interview along with the date and the examiner's initials.

Continuation of Substance of Interview including description of the general nature of what was agreed to if an agreement was reached, or any other comments: Applicant contacted Examiner to propose amendments to claim 1 to overcome the current prior art rejections (copy of the faxed proposal is attached). Examiner indicated that the first two proposals directed to limiting the substrate assembly to "consisting of" and limiting the printable substrate layer to "paper, paper products or paste board" appear to overcome the prior art rejections as currently presented in the prior Office Action filed April 4, 2005. As to the third proposed amendment relating to the specific polymers of the magnetic hot melt composition, the Examiner indicated that these polymers are obvious as set forth in paragraph 9 of the prior Office Action filed April 4, 2005. It is noted that further search and/or consideration will be required, including the determination of new matter and/or 112 issues .

04/15/05 16:41 FAX 952 563 3009

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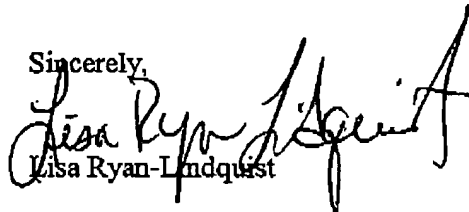


Fax Cover Sheet

TO: Gladys Piazza Corcoran FROM: Lisa Ryan-Lindquist
FAX NO: 1-571-273-1214
RE: Serial Number 09/990,103
Our File No. M112.2-10064-US01
DATE: April 15, 2005 TIME: 4:34pm

MESSAGE: Attached please find 3 pages of proposed claim amendments. If you have any questions please feel free to contact me.

Sincerely,


Lisa Ryan-Lindquist

Total Pages Sent (including cover sheet):

4

Original Will Follow By Mail

X

Original Will Not Follow By Mail

If you do not receive all pages, please call (952) 563-3000. Our fax number is (952) 563-3001.

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Serial No. 09/990,109

April 15, 2005

Proposed claim amendmentsClaim 1

1. A process of forming a magnetic assembly consisting of a ~~having at least one~~ magnetic layer having dimensions of thickness, width and length, and ~~at least one a~~ printable substrate layer having dimensions of thickness, width and length, comprising the steps of:

- a) providing a magnetic hot melt composition at an elevated temperature, said magnetic hot melt composition comprising about 75 wt-% to about 95 wt-% of at least one magnetic material and about 5 wt-% to about 25 wt-% of at least one thermoplastic polymer; and
- b) directly applying said magnetic hot melt composition at an elevated temperature when it is pliable to ~~[[a]]~~ said printable substrate layer to form said assembly.

Support can be found at least from Fig. 1 and the description for Fig. 1 found on page 16. This is not intended to exclude the situation where the printable substrate layer is coated, lacquered or has some other type of treatment, for example.

Serial No. 09/990,109

April 15, 2005

Claim 1 – proposed claim amendment

1. A process of forming a magnetic assembly having at least one magnetic layer having dimensions of thickness, width and length, and at least one printable substrate layer having dimensions of thickness, width and length, comprising the steps of:
- a) providing a magnetic hot melt composition at an elevated temperature, said magnetic hot melt composition comprising about 75 wt-% to about 95 wt-% of at least one magnetic material and about 5 wt-% to about 25 wt-% of at least one thermoplastic polymer; and
 - b) directly applying said magnetic hot melt composition at an elevated temperature when it is pliable to [[a]] said printable substrate layer, the printable substrate layer formed of paper, paper products or paste board.

Support for the amendment is found on page 12, last paragraph.

Bielek et al. describe the use of a polymer carrier film only and describe sufficient adhesion of the example having Vitel® 3350 resin to the film, but describe the example as not adhering sufficiently well to a wide variety of receiving surfaces to which the composites of the invention may be applied. This is presumptively the best mode of Bielek et al. Silverschotz disclose paper but the range of polymer and ferromagnetic material are different than the embodiment of claim 1 of the present application.

A person skilled in the art would not expect that direct application of such a composition as above would produce adequate adhesion to substrates other than those disclosed therein in view of Bielek et al.'s statements at col. 2, last paragraph to the top of col. 3.

Serial No. 09/990,109

April 15, 2005

Claim 1 – proposed amendment

1. A process of forming a magnetic assembly having at least one magnetic layer having dimensions of thickness, width and length, and at least one printable substrate layer having dimensions of thickness, width and length, comprising the steps of:
- a) providing a magnetic hot melt composition at an elevated temperature, said magnetic hot melt composition comprising about 75 wt-% to about 95 wt-% of at least one magnetic material and about 5 wt-% to about 25 wt-% of at least one thermoplastic polymer selected from the group consisting of ethylene vinyl acetates, ethylene ethyl (meth) acrylates, ethylene methyl (meth) acrylates, interpolymers of ethylene with at least one C₃ to C₂₀ alphaolefin, amorphous polyalphaolefins, and mixtures thereof; and
- b) directly applying said magnetic hot melt composition at an elevated temperature when it is pliable to [[a]] said printable substrate layer.

Support for the amendment is found on page 6, third full paragraph.

Neither Bielek et al. nor Silverschotz specifically disclose ethylene copolymers of the type recited in amended claim 1, nor disclose the use of amorphous polyalphaolefins.